

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-20453  
HON. SEAN F. COX

STEVEN PAUL OSTIPOW,

Defendant.

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ORDER

On December 8, 2008, Defendant Steven Paul Ostipow (“Ostipow”) filed his “Motion to Quash Search Warrant, Suppress Evidence, and for Evidentiary Hearing (*Franks* Hearing) in Support.” [Doc. No. 13]. This Court referred the motion [Doc. No. 17] to United States Magistrate Judge Michael Hluchaniuk for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Hluchaniuk held a hearing on the matter February 27, 2009. [Doc. No. 18].

On April 15, 2009, Magistrate Judge Hluchaniuk issued a Report and Recommendation [Doc. No. 20] on Defendant’s motion, recommending that Defendant’s motion be **DENIED**. [Doc. No. 20, p.22].

Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2), the parties may object and seek review from this Court of the Report and Recommendation within ten (10) days of service. Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1981). While the ten-day period for filing objections to the Report and Recommendation has

passed, the parties have not filed objections to the Report and Recommendation.

Accordingly, the Court **ACCEPTS** the Report and Recommendation [Doc. No. 20] from Magistrate Judge Michael Hluchaniuk in this matter, and **DENIES** Defendant's "Motion to Quash Search Warrant, Suppress Evidence, and for Evidentiary Hearing (*Franks* Hearing) in Support." [Doc. No. 13].

**IT IS SO ORDERED.**

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: May 1, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 1, 2009, by electronic and/or ordinary mail.

S/Jennifer Hernandez

Case Manager